

## REMARKS

Reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

This amendment is in response to the Office action mailed June 11, 2007. Presently, claims 1-48 are pending. Claims 1-26, 28 and 30-48 stand rejected. Claims 27 and 29 have been objected to but indicated to contain allowable subject matter. With this amendment, amendments are made to the specification, and claims 19, 27, 29 and 31 are amended. No new matter has been added.

In the Office action, the Examiner identified trademark concerns with the application. The trademarks have now been identified with either a trademark symbol or a trademark registration symbol and capitalized.

In the Office action, the Examiner rejected claims 31 and 32 for the terms "multiple-like components" in claim 31. With this amendment, these terms have been replaced with recitation of plurality of sensor mats for detecting takeoff. Reconsideration and allowance are respectfully requested.

In the Office action, claims 1-7, 9-11, 13, 17 and 30 were rejected as anticipated by Kaski (USP 7,119,799). It is respectfully submitted that Kaski '799 does not anticipate claim 1. Kaski '799 differs because it uses a wet contact touchpad, referenced as numeral 11 in the figures and specification. As described by Kaski '799, at column 1, lines 11-20, a wet contact touchpad is effectively a switch. The wet contact touchpad has two flexible metal plates separated by water fill. If the wet contact touchpad were used out of water, the water fill would drain. When touched, the plates contact each other, that is, the "switch" is turned on. Kaski '799 does teach monitoring the charge of the plates as an improved sensing system applied to a switch of the wet contact touchpad type and also as a way to make the "switch" more durable by reducing corrosion on the internal contacts. The sensor mat recited in the claim is not a wet contact touchpad and is not a switch. A touch pad sensor is disclosed in the application and shown in the present invention at 26 of **FIG. 1** and is intended to be submerged in the pool. A sensor mat 18 is separately shown a top a relay takeoff platform 16. A sensor mat does not "switch" or have internal electrical contact when touched.

The Examiner also points out column 6, lines 59 to end, as disclosing using a mat to detect a swimmer takeoff and notes that capacitance is being monitored. However, capacitance is being monitored on a wet contact touchpad, not a sensor mat. The capacitance being monitored is in respect to a just released switch or electrical contact within the wet contact touchpad. Further, the passage deals with a backstroke race and a "pushoff", not a takeoff, as occurs from a platform. Thus, Kaski '799 does not anticipate claim 1. Similarly, claims 2-7, 9-11, 17 and 30 depend from claim 1 and are not anticipated. Reconsideration and allowance is respectfully requested.

In the Office action, claims 2-8, 12, 14-19, 21-26, 28 and 31-41 were rejected as obvious over Kaski '799 in view of Coble, Jr. et al. (USP 3,916,214). The Examiner recognizes the absence of the starting platform from Kaski '799 but fails to observe that Kaski '799 lacks a sensor mat and instead uses a wet contact touchpad. As noted earlier, a wet contact touchpad is effectively a switch, whereas a sensor mat is not a switch. Moreover, the capacitance is monitored relative to the internal switch condition rather than the presence of a swimmer at the surface. Coble, Jr. et al. '214 is characterized as teaching a pressure sensitive mat for both a starting platform and in the pool. However, the detectors of Coble, Jr. et al. '214 also employ an internal electrical switch arrangement. One of ordinary skill would not be led to a system lacking an internal electrical switch by this combination of references. Nor would the capacitance measurement of a newly opened electrical switch lead to consider the swimmer occupiable surface a source of takeoff information when an internal switch is absent.

With respect to independent claim 31, now amended, and independent claims 33 and 42, neither Kaski '799 nor Coble, Jr. et al. '214 disclose a sensor mat, but both disclose a touchpad sensor. Absent a sensor mat, one of ordinary skill would not be led to the inventions recited in these claims nor to claims depending therefrom. Reconsideration and allowance is respectfully requested.

In the Office action, claim 20 was rejected as obvious over Kaski '799 in view of Philipp (U.S. Pub. 2004/0104826). Philipp is cited for teaching body detection and the Examiner recognized the absence of charge transfer ID projecting a capacitive sense field. It

is respectfully submitted that one of ordinary skill would not have looked to Philipp since Philipp is concerned with movement or changing position along a surface rather than presence or absence to supply the missing teaching to Kaski '799. Moreover, one of ordinary skill would not have been motivated to discard the internal switch of Kaski '799 wet contact touchpad which Kaski '799 uses as a starting point for timing. Reconsideration and allowance is respectfully requested.

In the Office action, claim 42 was rejected as anticipated by Coble, Jr. et al. '214. It is respectfully submitted that Coble, Jr. et al. '214 lacks a sensor mat and only discloses pressure switch types of touchpad sensors. Reconsideration and allowance is respectfully requested.

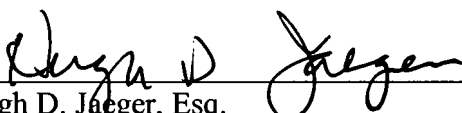
Similarly, Coble, Jr. et al. '214 in view of Kaski '799 do not render claims 43-48 obvious, since the combination lacks sensor mats.

If there are any further issues yet to be resolved to advance the prosecution of this patent application to issue, the Examiner is requested to telephone the undersigned counsel.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

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